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 Op-611/pbd
 Ser 00902P61
 26 NOV 1958

MEMORANDUM OF INFORMATION FOR THE SECRETARY OF THE NAVY

Subject: Developments in the Berlin situation (U)

1. The Department of State has prepared a note which it desires to send to the Soviet Union, formally re-emphasizing the position that the U.S. "will continue to exercise its rights and fulfill its obligations as an occupying power in Berlin under the presently valid quadripartite agreements affecting Berlin" and that the U.S. "continues and will continue to look to the Soviet Government for the fulfillment of its obligations and the maintenance of the rights of the U.S. Government under these agreements."
2. The British were in agreement (Macmillan already having written Khrushchev), but the French opposed such a note since it might appear as a sign of fear or nervousness. The British Foreign Office believed that if the French would not go along with the note, the U.S. should take unilateral action with the Soviet Union since a bilateral U.S.-U.K. approach would be much more invidious to the French than our unilateral action.
3. The State Department subsequently discussed with the German Ambassador the possibility of making certain changes in the note and delivering it instead to the West German Government as a response to their report to the U.S. of the Smirnov-Adenauer conversation. The note would be handled so that it would come to the attention of the Soviet Union. This they see as fitting since there has been no official notification of Soviet intentions re Berlin and the Smirnov visit is the only official diplomatic step the Kremlin has taken so far. It also has the advantage of not forcing a freeze on the part of the USSR and the further advantage of bringing the West German Government directly into the picture and demonstrating Western solidarity. The German Ambassador agreed to this approach. As to any effective countermeasures against East Germany, the German Ambassador noted that if the Communists have embarked on a course with important political goals, they would not be deterred by economic countermeasures.
4. The State Department had hoped that they might have the note coordinated for delivery 25 November with public

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announcements being made in the four Western capitals simultaneously. However, Ambassador Whitney cabled that both he and the British Foreign Office have reservations about the desirability of publicizing a note. He notes that our public position is clear and that what is needed is a statement for private rather than public use. Furthermore, he feels that the language of the statement may seem weak in a public statement but that in private, its full meaning will not be lost on the Soviets.

5. Due to the up-coming visit of DeGaulle to Bonn, STATE is withholding any action concerning such a note until the results of that conference have been examined.

*Very respectfully,
A. S. Heyward Jr.*

A S Heyward, Jr
Director, Politico-Military Policy Division

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